

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9992 of 2025

Arising Out of PS. Case No.-277 Year-2022 Thana- FATEHPUR District- Gaya

Shambhu Yadav S/o- Mossaffir Yadav @ Musafir Yadav Village- Purani
Bathan PS-Fatehpur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-04-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Fatehpur P.S. Case No.277 of 2022, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, the total recovery of 230 litres of *country-made* liquor have been alleged to be made from a lonely place, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the spot and his name has been transpired only on suspicion. Counsel further submits that criminal antecedent of the petitioner is clean. He



further submits that the said recovery has been made near periphery of the petitioner's house and the wrong doer used to sell wine from there.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No.4, Gaya in connection with Fatehpur P.S. Case No.277 of 2022, subject to the following conditions as laid down under Section 438(2) of Cr.P.C.

(Dr. Anshuman, J.)

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